

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/742,579	12/21/2000	Fatih M. Ozluturk	I-2-91.10US

24374
 VOLPE AND KOENIG, PC
 DEPT ICC
 SUITE 400, ONE PENN CENTER
 1617 JOHN F. KENNEDY BOULEVARD
 PHILADELPHIA, PA 19103

RECEIVED
 AM/PM

OCT 18 2001

FORMALITIES LETTER



OC000000006915884

VOLPE & KOENIG, P.C.

Date Mailed: 10/16/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/29/2001 to the Notice to File Missing Parts (Notice) mailed 02/27/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The signature of the following inventor(s) is missing from the oath or declaration:
Avi Silverberg, Robert T. Regis, Michael Luddy, Alexander Marra, Alexander Jacques, John W. Haim

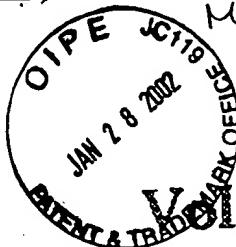
A copy of this notice MUST be returned with the reply.

Harmonturk

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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034

FACSIMILE COVER SHEET

TO: Office of Initial Patent Examination, Customer Service Center FAX NO.: 703-308-7751
FROM: Frank A. Mazzeo; Registration No. 46,259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Ozluturk et al.

Application No.: 09/742,579 /

Confirmation No.: 8594

Filed: December 21, 2000

For: APPARATUS FOR INITIAL POWER
CONTROL FOR SPREAD-SPECTRUM
COMMUNICATIONS

Group: 2631

Examiner: Not Yet Known

Our File: I-2-91.10US

Date: January 28, 2002

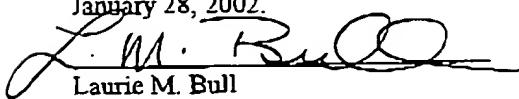
Enclosed are:

- 1) A Reply to Notice of Incomplete Reply (Nonprovisional) with enclosures (15 pgs.);
and
- 2) Fee Transmittal (3 pgs.), in triplicate.

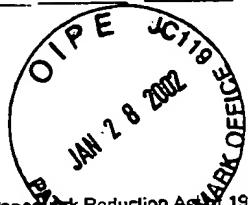
Therefore, including this transmission cover sheet, a total of 19 pages are being faxed.

NOTIFY Laurie M. Bull IF TRANSMISSION IS NOT COMPLETE OR LEGIBLE.

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on
January 28, 2002.


Laurie M. Bull

January 28, 2002
Date



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Volpe and Koenig Revision of PTO/SB/17 (10-01)
Approved for use through 10/31/2002, OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$)	0
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Complete If Known

Application Number	09/742,579
Filing Date	December 21, 2000
First Named Inventor	Ozluturk et al.
Examiner Name	Not Yet Known
Group Art Unit	2631
Attorney Docket No.	I-2-91.10US

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **22-0493**

Deposit Account Name **VOLPE AND KOENIG, P.C.**

Charge any Deficiencies or Credit any Overpayment in the Total Fees Associated With This Communication

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	218	200 Extension for reply within second month	
117	820	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	180 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-	• = <input type="text"/> X <input type="text"/> = <input type="text"/>	
Claims	-	• = <input type="text"/> X <input type="text"/> = <input type="text"/>	
Multiple Dependent	-	• = <input type="text"/> X <input type="text"/> = <input type="text"/>	

Large Entity Small Entity

Fee Code (\$)	Large Entity Fee (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater. For Reissues, see above

*Reduced by Basic Filing Fee Paid

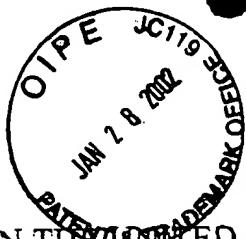
SUBTOTAL (3) (\$ 0)

Complete (if applicable)

SUBMITTED BY	Frank A. Mazzeo			Registration No. (Attorney/Agent)	46,259	Telephone	215-568-6400
Signature	<i>Frank A. Mazzeo</i>			Date	1/30/02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Ozluturk et al.

Application No.: 09/742,579**Confirmation No.:** 8594**Filed:** December 21, 2000**Our File:** I-2-91.10US**For:** APPARATUS FOR INITIAL POWER
CONTROL FOR SPREAD-SPECTRUM
COMMUNICATIONS**Date:** January 28, 2002**Group:** 2631**Examiner:** Not Yet Known**REPLY TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

Initial Patent Examination Division
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

This Reply is filed in response to the Notice of Incomplete Reply (Nonprovisional), copy attached, mailed by the U.S. Patent and Trademark Office (PTO) on October 16, 2001.

Applicants submit that their Response to Notice to File Missing Parts of Nonprovisional Application, filed on August 24, 2001, was complete as there are only three inventors in this application.

On December 21, 2000, Applicants filed this application, included in which was an unsigned declaration naming nine inventors. On February 27, 2001, the PTO mailed a Notice to File Missing Parts. Applicants' Response to the Notice to File Missing Parts

Applicant: Ozluturk et al.
Application No.: 09/742,579

included three original declarations, each one signed by one of the three inventors. Copies of the three declarations are enclosed.

37 C.F.R. §1.48(f)(1) provides that ". . . the first submission of an executed oath or declaration by any of the inventors during the pendency of the application will act to correct the earlier identification of inventorship." Therefore, the only inventors in this application are the ones who signed the declarations filed on August 24, 2001 with the Response to Notice to File Missing Parts, namely Fatih Ozluturk, Gary Lomp and John Kowalski. The PTO's outstanding Notice of Incomplete Reply was incorrect in that it requests the signed oaths or declarations of six people who are not inventors in this application.

Applicant submits that its August 24, 2001, Response to Notice to File Missing Parts was fully responsive. Accordingly, this application should be considered complete and not abandoned. The filing date should remain December 21, 2000.

Respectfully submitted,

Ozluturk et al.

By 
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